

Ordinance #152 Sections 152-4 through 152-11
AN ORDINANCE TO REGULATE THE
RANDOLPH VILLAGE CEMETERY

The Village Board of the Village of Randolph, Dodge and Columbia Counties, Wisconsin does ordain as follows:

Section 152-4 Ownership Rights of Interment

- A. The lot owner or his authorized agent shall have the right to use a lot or portion of a lot for burial purposes only in accordance with the terms of the cemetery rules and regulations.
 - (1) Upon full payment of the purchase price of a lot, the Village Clerk-Treasurer will issue a cemetery deed, and the deed will be recorded in the record of the Village as evidence of ownership of the lot. All lots are exempt from taxation and cannot be seized for debt (except those owed to the cemetery), nor can they be mortgaged.
 - (2) The lot owner shall have acquired the lot for interment of himself and members of his family. However, the lot owner may grant written permission (which must be notarized and placed on file with the Village Clerk-Treasurer) for the burial of other persons.
- B. Unless otherwise directed in writing and filed with the Village Clerk-Treasurer, the lot owner, his/her devisees, or his/her heirs, the cemetery will permit the interment of members of his/her family at the request of any interested person upon proof of eligibility for burial as follows:
 - (1) The surviving spouse of the lot owner shall have the first right to interment or to direct the right of interment.
 - (2) When there is no surviving spouse, the devisees, or heirs of the owners, may, by agreement in writing, determine who among them shall have the right of interment or direction for interment, which agreement shall be filed with the Village Clerk-Treasurer.
 - (3) In the event the owner, his/her devisees or heirs shall not have arranged for future interments, then the devisees or the heirs, as the case may be, of such owner, shall have the right to interment in order of their need.
- C. All burial rights in cemetery lots purchased from the Village occupy the same position as real estate at the death of the owner. Only such persons whose names appear on the cemetery records of the Village will be recognized as owners or part owners of lots. In case of the death of a lot owner, when the cemetery lot is disposed of by a will, and when ownership is to be determined, a certified copy of the will must be delivered to the Village Clerk-Treasurer before the Village will recognize the change of ownership. If the deceased lot owner left no will, satisfactory proof of descent must be provided. It is recommended that lot owners, in making their wills, include a provision covering the cemetery lots and devise same to one person.
- D. Lot owners may not resell or transfer their lots or parts of lots except as outlined below:
 - (1) The Clerk-Treasurer shall enter in the record kept for that purpose all deeds of transfer and reconveyance of cemetery lots.
 - (2) Reconveyance of lots or parts of lots may be made only by written application therefor upon blanks furnished by the Village Clerk-Treasurer. Such application shall be executed by the owner(s) of the lots or, if the owner(s) is deceased, by the legal heirs. The application shall state the lot and block number.

Section 152-5 Privileges and Restrictions

- A. Plants and decorations.
 - (1) Planting restricted. The planting of trees and shrubs by private individuals is prohibited. Any planting must be done by cemetery personnel.

- (2) Decorations. Decorations may only be placed in planters and only at times to be set by the Village Board.
 - (3) Planters. Planters must be placed on the side or end of the monument.
 - (4) Liability. Decorations and planters are placed at the risk of the persons making such placement. The Village shall not be liable for any damage or loss of any plantings, decorations or planters.
 - (5) Enclosures. No hedges, fences or enclosures of any kind will be permitted on or around lots. Wooden boxes, wire containers, glass jars, bottles, toys, cans and other such objects may not be placed on lots and, if so placed, will be removed by the Village without notice.
 - (6) Artificial flowers. Artificial flowers displayed in the cemetery must be in containers and placed on the extension. Any artificial flowers not in containers will be removed from the cemetery by the Sexton.
 - (7) Wire stands. Wreaths on wire stands must also be placed at the head of the lot near the monument or marker.
 - (8) Fresh flowers. Fresh-cut flowers may be used any time and will remain until, in the judgement of the Sexton, they become wilted or unsightly. Containers for cut flowers are to be a type level with the ground surface and not holding water when not in use or of the type to be disposed of when the flowers are removed.
 - (9) Potted plants. Potted plants may be set on lots, without disturbing the sod, on special occasions, such as Memorial Day, birthdays, anniversaries, etc., but will be picked up and destroyed if unsightly.
- B. Landscaping. All landscaping, care of lots and other work in the cemetery will be done by the Village, but it is desired that each lot owner feel free to consult with those in charge of the cemetery at all times. Their advice will be cheerfully given without charge and may be of much value to those contemplating the purchase of or improvements to cemetery lots. The Village shall retain the ownership of all aisles, including monument aisles.
- C. Village rights.
- (1) The Village reserves the right for its workers and those persons necessary to the performance of normal cemetery operation to enter upon or cross over any lot in the cemetery in the performance of such duties.
 - (2) The Village, or its employees, assumes no liability for damages to property or of persons, or for physical or mental suffering arising out of the performance of its normal operations, or for loss by vandalism or other acts beyond its reasonable control.
 - (3) The Village reserves the right to alter, use, change or close alleys, roadways, water mains and other physical public properties of the cemetery.

Section 152-6

Rules for Visitors

- A. The cemetery will be open to visitors at all times between the hours of 8:00 a.m. and ½ hour after the official sunset. Permission to enter the cemetery at any other time must be obtained from the Sexton of the Village Board.
- B. Children under 16 years of age will be admitted only when accompanied by parents or guardians.
- C. Persons or picnic parties with refreshments or alcoholic beverages are not permitted within any municipal cemetery.
- D. Service dogs shall be allowed in the cemetery. All other dogs will only be allowed in the cemetery when confined in a vehicle.
- E. Firearms will not be allowed in the cemetery, except in conjunction with military funerals. At all other times, firearms, bows and arrows, slingshots and other like articles will not be allowed. Driving golf balls is prohibited.
- F. Visitors are required to use the walks and drive whenever possible and shall not pick any flowers (either wild or cultivated), injure any shrub, tree or plant, or mar or deface any monument, stone or structure in the cemetery.

- G. Vehicles traveling within the cemetery shall not exceed 15 miles per hour. No vehicle shall be driven except on road designated for that purpose, nor shall such be driven in a reckless manner.
- H. No riding of bicycles, motorbikes, snowmobiles, motorcycles or other such vehicles will be allowed in the cemetery, unless such vehicles are present in conjunction with cemetery business.

Section 152-7 Interments and Disinterments

- A. Interments.
 - (1) Interments will be made only during daylight hours.
 - (2) All interments shall be made in a permanent outer container, excluding the use of wood.
 - (3) All graves shall be dug by the Village under the direction of the Sexton or his authorized agent. Depth of graves shall conform to the Wisconsin State Department of Health Services specifications. Seeding will be done by the Village.
 - (4) No burial will be permitted until a legal burial transit permit has been presented to the Sexton. The interment of bodies of persons who have died of a contagious disease shall be in strict accordance with the rules of the State Department of Health Services.
 - (5) There will be no responsibility on the part of the Village for the protection and maintenance of flowers, wreaths, emblems, etc., used in conjunction with funerals.
 - (6) When definite information for locating a grave is not available 36 hours prior to grave preparation to meet the time requested for interment, the cemetery may exercise its best judgement in making a location order that the requested time for interment may be met. The cemetery assumes no responsibility for any error or inconvenience of such location, and an additional charge will be made for any change requested.
 - (7) The Sexton or his agent shall, whenever possible, be given 36 hours' notice to assure the opening and preparation of a grave prior to interment. Barring unforeseen or other untoward circumstances, such grave shall be opened and prepared in time for interment.
 - (8) One burial per grave space will be allowed, except that two burials per grave space will be allowed if the burials consist of one casket and one cremation; two cremations; or two infants.
 - (9) Above ground burials will not be allowed.
 - (10) Pets or other animals shall not be buried in the cemetery.
- B. Disinterments.
 - (1) Disinterments of bodies from graves in the cemetery will be made only by the Village in accordance with the requirements of the State Department of Health Services. Charges set by the Village for removal must be paid in advance.
 - (2) Lot owners, or their heirs, desiring graves opened may secure the necessary disinterment permit from the state and deliver the same to the cemetery Sexton. All removals will be made by the Village under the supervision of a licensed embalmer.
 - (3) For sanitary reasons, grave will not be reopened for inspection, except for an official investigation.

Section 152-8 Monuments and Markers

- A. Grave markers and foundations will be set only by the monument company according to regulations specified by the Village. Monuments shall be no higher than 36 inches in height. Except as herein otherwise provided, under no conditions will the Village construct monument or marker bases or erect monument or markers on bases. Grave markers shall be set with a suitable cement foundation with at least a four-inch wash for trimming of grass. The Village reserves the right to require the construction of a foundation of such size, material and design as will provide ample insurance against settlement or injury to the stonework. The top of the concrete foundation will be constructed flush with the ground line. Grave markers will be set on

a straight line on the backside of the lot. Whenever possible, all markers will be set with a five-inch margin, with 12 to 15 inches on at least one end. Verbal permission is required and shall be available from the office of the Sexton or his/her assistant.

- B. The setting of monuments, stones and markers and the transportation of all tools, materials, etc., within the cemetery ground shall be subject to the supervision and control of the Sexton. Unless special arrangements are made with the Sexton, such work shall be conducted between the hours of 8:00 a.m. and 4:00 p.m., Mondays through Fridays, except on national holidays. Whenever possible, at least 24 hours' notice shall be given to the Sexton that said work is to take place. Heavy trucking will not be permitted within the cemetery when, in the opinion of the Sexton, such work might cause damage to the driveways. Except when special permission is obtained, all work as outlined above shall be completed and debris removed immediately.
- C. The Village reserves the right to refuse permission to erect any monument work not in keeping with the good appearance of the grounds. The size of the monument and/or stonework must be given to the Sexton or his/her agent and approved before said work will be permitted on a lot. All monuments must be set in line with other monuments so far as possible as directed by the cemetery Sexton or his/her assistant.
- D. Stonework or monumental work, once placed on its foundation, shall not be removed, except by permission of the cemetery Sexton.
- E. The lot must be paid in full or other assurance given of payment before markers and monuments are set.
- F. Temporary markers must be removed or replaced with a permanent marker within one year.
- G. Any additional head or foot markers must be set flush with the ground. Bronze government markers may be placed on the backside of a family stone.

Section 152-9 Vaults and Mausoleums

Construction of vaults and mausoleums is prohibited.

Section 152-10 Trees, Shrubs and Flowers

- A. The planting of trees and shrubs on newly purchased lots or parts of lots will not be permitted.
- B. Lot owners may remove, under the direction of the Sexton, large trees on grave sites that hinder the full usage of the grave site. The expense of the tree and stump removal will be paid for by the lot owners.
- C. Artificial decorations are prohibited unless in a vase or pot, and, when used, will be treated as potted plants. The Sexton reserves the right to remove unsightly or out-of-season decorations.

Section 152-11 Maintenance of Lots

- A. It is urged that lot owners interest themselves in the present and future care of their lots, as a single neglected lots mars the beauty of the entire cemetery.

Any other questions you may have regarding the cemetery should be referred to the Village Clerk-Treasurer or the Sexton.

This ordinance was passed on March 1, 2014.

Bill Hoekstra, Village Sexton 920-296-8445

Village Clerk-Treasurer 920-326-4600

Grave decorations placed on graves in the summer must be removed by September 30th and winter decorations must be removed by April 1st. If you wish to keep your decorations, please remove them by these dates, otherwise these decorations will be removed and destroyed by the Village.